



Natural Resources Conservation Service
1201 NE Lloyd Blvd., Suite 900
Portland, OR 97232-1279

March 9, 2007

OREGON BULLETIN OR300-2007-6

SUBJECT: LTP – CONSERVATION PROGRAMS – WAIVER TO BEGIN PRACTICE
INSTALLATION PRIOR TO CONTRACT APPROVAL

Purpose. To provide instructions and guidance on granting a waiver to begin practice installation prior to approval of a conservation program contract. This bulletin supersedes Oregon Bulletin OR300-2007-2 in its entirety.

Expiration Date. September 30, 2008 or when superseded.

Conservation Programs Manual Part 512, Conservation Program Contracting, 512.23(c) and 512.91E provide the authority and instructions on granting a waiver to commence practice installation prior to approval of a conservation contract. Waivers to commence a practice must follow the program guidance below:

512.23C. Starting Practices Included in the CPC

(1) Practices started or completed before CPC approval are not eligible for cost-share or incentive payments in accordance with the applicable program regulation and the CPC Appendix. Starting a practice before the contract is approved by NRCS causes an applicant to be ineligible for financial assistance for that practice unless a waiver has been granted by the State Conservationist. Waivers may only be considered for applications that meet all eligibility requirements described in section 512.24. Applicants may request that the State Conservationist or designee grant a waiver of this provision, in special cases and for meritorious reasons, if the practice has not been started when the waiver was applied for. Meritorious reasons may include the following:

- (i) Alleviation of imminent and significant environmental problems.
- (ii) Prevention of endangerment to life or property.
- (iii) Seasonal weather constraints.

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(2) For a producer to remain eligible, the waiver must be granted after application for the program has been made but before starting the practice, otherwise the producer is considered to be ineligible to receive financial assistance for the conservation practice. **This waiver will expire on a date as determined by the State Conservationist but no later than September 30 of current fiscal year.** NRCS will inform applicants who have been granted a waiver that this waiver does not guarantee contract approval and that they may be ineligible to receive payments if either the applicant or practice does not meet all NRCS requirements. See Exhibits, section 512.91 E for a “Waiver to Begin a Conservation Practice” letter.

This bulletin delegates authority for granting a waiver to commence a practice to the Basin Team Leaders. Farm Bill program applicants wishing to begin practice installation prior to contract approval must submit the request to the appropriate field office. Field office personnel should document the request and forward it to the Basin Team Leader for approval. The Basin Team Leader will send the attached letter to the applicant clearly outlining the rules under which the waiver is granted.

Program applicants WILL NOT be reimbursed for any practice installation completed prior to contract approval without this waiver in place.

If you have any questions please contact Louise Davis, Program Specialist, 503-414-3230, or Bill White, Leader – Programs, 503-414-3085.

A handwritten signature in black ink, appearing to read "Bob Graham". The signature is fluid and cursive, with the first name "Bob" written in a larger, more prominent script than the last name "Graham".

BOB GRAHAM
State Conservationist

Attachment

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